

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 10-CR-155

BELARMINIO AMPARO BAEZ,

Defendant.

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**ORDER**

On November 5, 2010, United States Magistrate Judge Patricia J. Gorence issued a recommendation that this court deny defendant Belarminio Baez's motion to suppress physical evidence and his request for a *Franks* hearing.<sup>1</sup> Neither party has filed a timely objection to the recommendation as required by 28 U.S.C. § 636(b)(1)(C) and Fed. R. Crim. P. 59(b)(2). After reviewing the recommendation, the court adopts it in its entirety and denies Baez's motion to suppress and his request for a *Franks* hearing. See *United States v. Edwards*, 894 F.Supp. 340, 341 (E.D.Wis. 1995) (holding *de novo* review only required for portions of magistrate's recommendation to which timely objection is made).

Accordingly,

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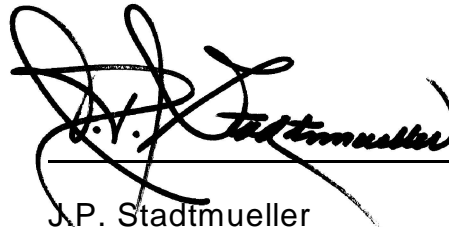
<sup>1</sup>*Franks v. Delaware*, 438 U.S. 154, 171 (1978).

**IT IS ORDERED** that the November 5, 2010 recommendation of Magistrate Gorence that defendant's motion to suppress evidence and his request for a *Franks* hearing be denied (Docket #16) be and the same is hereby **ADOPTED**;

**IT IS FURTHER ORDERED** that defendant Belarminio Baez's motion to suppress evidence and his request for a *Franks* hearing (Docket #9) be and the same is hereby **DENIED**.

Dated at Milwaukee, Wisconsin, this 26th day of November, 2010.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line.

J.P. Stadtmueller  
U.S. District Judge